IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.37738 of 2008
NITESH KUMAR @ NITESH
Versus
THE STATE OF BIHAR

2/ 20/10/2008. Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a police case under Sections- 379, 411, 414 and 120B of I.P.C.

The submission is of alibi and the confession of the co-accused as the only material.

The petitioner has been named by the co-accused apprehended on the spot with the wires cut and stolen in the night stating that the petitioner was also present when the wire was being cut and he went away subsequently.

The plea of alibi is an aspect to be considered appropriately in an application for regular bail.

The Court is not persuaded to grant the privilege of anticipatory bail. The application is rejected.

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KC **(Navin Sinha, J)**